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DOCKET NO.: CING-0485/700.US.C1D1

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Brian G. Agee, et al.

Confirmation No.: 8061

Application No.: 09/920,903

Filing Date: August 3, 2001

For: HIGHLY BANDWIDTH-EFFICIENT COMMUNICATIONS

VIA HAND DELIVERY

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR § 3.73(b)

Cingular Wireless, II, LLC, a limited liability company

states that it is:

☒ the assignee of the entire right, title, and interest; or

☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above.

☐ 1. The assignment was recorded in the Patent and Trademark Office at Reel  
, Frame(s) .

☐ 2. The assignment has not yet been recorded. A copy of the assignment is  
attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: **Brian G. Agee** To: **AT&T Wireless Services, Inc.** The document was recorded in the Patent and Trademark Office at Reel **013089**, Frame(s) **0385**.
2. From: **David Gibbons, James Timothy Golden, Elliott Hoole, Mary Jesse, Robert Lee Maxwell, Robert G. Merchaley, Jr., David J. Nix, David James Ryan** To: **AT&T Wireless Services, Inc.** The document was recorded in the Patent and Trademark Office at Reel **009607** Frame(s) **0515**.
3. From: **Robert R. Naish** To: **Radix Technologies, Inc.** The document was recorded in the Patent and Trademark Office at Reel **013046** Frame(s) **0892**.
4. From: **Minnie Ho** To: **Radix Technologies, Inc.** The document was recorded in the Patent and Trademark Office at Reel **013046** Frame(s) **0897**.
5. From: **David S. Stephenson** To: **Radix Technologies, Inc.** The document was recorded in the Patent and Trademark Office at Reel **013046** Frame(s) **0888**.
6. From: **Matthew Bromberg** To: **Radix Technologies, Inc.** The document was recorded in the Patent and Trademark Office at Reel **013046** Frame(s) **0909**.
7. From: **Derek Gerlach** To: **Radix Technologies, Inc.** The document was recorded in the Patent and Trademark Office at Reel **013046** Frame(s) **0890**.
8. From: **Radix Technologies, Inc.** To: **AT&T Wireless Services, Inc.** The document was recorded in the Patent and Trademark Office at Reel **013046** Frame(s) **0881**.
9. From: **New Cingular Wireless Services, Inc. (f/k/a AT&T Wireless Services, Inc.)** To: **Cingular Wireless, II, Inc.** The document was recorded in the Patent and Trademark Office at Reel **017555**, Frame **0711**.
10. From: **Cingular Wireless II, Inc.** To: **Cingular Wireless II, LLC.** The document was recorded in the Patent and Trademark Office at Reel **017546**, Frame **0612**.

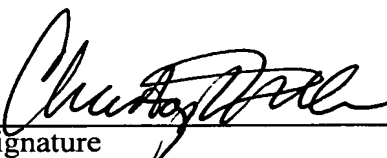
- ☒ Additional documents in the chain of title are listed on a supplemental sheet.
- ☒ Copies of assignments or other documents in the chain of title are attached.

DOCKET NO.: CING-0485/700.US.C1D1 - 3 -

PATENT

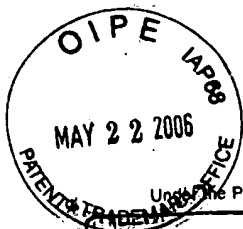
The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: 5/12/06

  
\_\_\_\_\_  
Signature  
Name: Christopher M. Arena  
Reg. No.: 35,429

Woodcock Washburn LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

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PTO/SB/80 (04-05)

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I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

**54499**

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

Assignee Name and Address:

Cingular Wireless, II, LLC  
5565 Glenridge Connector  
Atlanta, Georgia 30342

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature	<i>C. T. Tacker</i>	Date	February 21, 2006
Name	Carol Tacker	Telephone	
Title	Vice President, Assistant General Counsel, Corporate Secretary		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## Supporting Documentation Showing Evidence of Chain of Title for Patent Applications

The following documents represent evidence of the chain of title of all AT&T Wireless application to Cingular Wireless II, LLC.

- 1) **New Cingular Wireless Services, Inc. Secretary Certificate** signed by Caroline Wilder, Assistant Secretary. This document certifies the following:
  - a) Agreement and Plan of Merger was entered into by AT&T Wireless Services, Inc. (ATTW), Cingular Wireless Corporation, Cingular Wireless, LLC and Links I Corporation whereby ATTW would be merged in to Links I. Whereby ATTW would be the survivor of the merger.
  - b) A true and correct copy of the Certificate of merger filed with the Delaware Secretary of State is attached and remains in effect.
  - c) As a result of the merger, ATTW becomes a wholly owned subsidiary of Cingular Wireless, LLC.
  - d) The name of ATTW was changed to New Cingular Wireless Services, Inc. on 10/24/2004.
  - e) A true and correct copy of the name change of ATTW is attached and remains in effect.
- 2) A true and correct copy of the Certificate of Merger filed with the Delaware Secretary of State.
- 3) A true and correct copy of the name change of ATTW.
- 4) A true and correct copy of the Certificate of Conversion showing change of status of CWII, Inc to CWII, LLC.

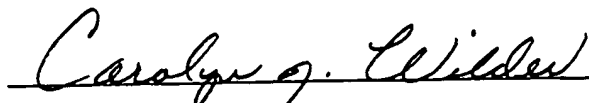
**NEW CINGULAR WIRELESS SERVICES, INC.**

**SECRETARY'S CERTIFICATE**

I, Carolyn J. Wilder, do hereby certify that I am a duly elected, qualified and acting Assistant Secretary of New Cingular Wireless Services, Inc., a Delaware corporation, and as such I am authorized to execute this certificate. In such capacity, I further certify that:

1. An Agreement and Plan of Merger (the "Agreement") dated as of February 17, 2004 was entered into by and among AT&T Wireless Services, Inc., Cingular Wireless Corporation, Cingular Wireless LLC and Links I Corporation, a wholly-owned subsidiary of Cingular whereby AT&T Wireless Services, Inc. would be merged into Links I Corporation upon the terms and conditions of the Agreement, and AT&T Wireless Services, Inc. would be the survivor of the merger.
2. The merger of AT&T Wireless Services, Inc. into Links I Corporation was consummated on October 26, 2004.
3. The attached Exhibit "A" is a true and correct copy of the Certificate of Merger filed with the Delaware Secretary of State and that said Certificate of Merger remains in full force and effect on the date hereof.
4. As a result of the consummation of the merger, AT&T Wireless Services, Inc. became a wholly-owned subsidiary of Cingular Wireless LLC.
5. The name of AT&T Wireless Services, Inc. was changed to New Cingular Wireless Services, Inc. on October 26, 2004.
6. The attached Exhibit "B" is a true and correct copy of the Certificate of Amendment to The Certificate of Incorporation of AT&T Wireless Services, Inc. changing the name of the corporation to New Cingular Wireless Services, Inc. as filed with the Delaware Secretary of State and that said Certificate of Amendment to The Certificate of Incorporation remains in full force and effect on the date hereof.

IN WITNESS WHEREOF, I have subscribed my name as Assistant Secretary of the Company this 11<sup>th</sup> day of May, 2005.

  
Carolyn J. Wilder, Assistant Secretary

# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"LINKS I CORPORATION", A DELAWARE CORPORATION,  
WITH AND INTO "AT&T WIRELESS SERVICES, INC." UNDER THE NAME  
OF "AT&T WIRELESS SERVICES, INC.", A CORPORATION ORGANIZED AND  
EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED  
AND FILED IN THIS OFFICE THE TWENTY-SIXTH DAY OF OCTOBER, A.D.  
2004, AT 10:11 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE  
NEW CASTLE COUNTY RECORDER OF DEEDS.



2131363 8100M

040725208

*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3434252

DATE: 10-26-04

**SEVENTH:** This certificate of merger shall be effective upon its filing with the Secretary of State of the State of Delaware.

**IN WITNESS WHEREOF,** this Certificate of Merger has been executed by the undersigned, a duly authorized officer of the Surviving Corporation, on behalf of the Surviving Corporation as of the 24<sup>th</sup> day of October, 2004.

**AT&T WIRELESS SERVICES, INC.**

By: \_\_\_\_\_

Name: John B. Zepulis

Title: Chief Executive Officer



SEVENTH. Any action required or permitted to be taken by the holders of Common Stock of the corporation, including but not limited to the election of directors, may be taken by written consent or consents but only if such consent or consents are signed by all holders of Common Stock.

EIGHTH. A director of the corporation shall not be liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director, except to the extent that such exemption from liability or limitation thereof is not permitted under the Delaware General Corporation Law as currently in effect or as the same may hereafter be amended. No amendment, modification or repeal of this Article EIGHTH shall adversely affect any right or protection of a director that exists at the time of such amendment, modification or repeal.

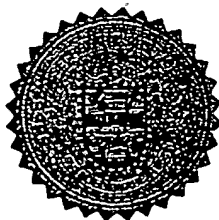
# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "AT&T WIRELESS SERVICES, INC.", CHANGING ITS NAME FROM "AT&T WIRELESS SERVICES, INC." TO "NEW CINGULAR WIRELESS SERVICES, INC.", FILED IN THIS OFFICE ON THE TWENTY-SIXTH DAY OF OCTOBER, A.D. 2004, AT 11:01 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



2131363 8100

040770545

*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3434831

DATE: 10-26-04

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 11:23 AM 10/26/2004  
FILED 11:01 AM 10/26/2004  
SRV 040770545 - 2131363 FILE

**CERTIFICATE OF AMENDMENT  
TO THE  
CERTIFICATE OF INCORPORATION  
OF  
AT&T WIRELESS SERVICES, INC.**

AT&T Wireless Services, Inc., a corporation organized and existing under and by virtue of the Delaware General Corporation Law (the "Corporation"), does hereby certify:

**FIRST:** That on October 26, 2004, the Board of Directors of the Corporation adopted resolutions setting forth a proposed amendment to the Certificate of Incorporation of the Corporation, declaring said amendment to be advisable and submitting the proposed amendment to the sole stockholder of the Corporation for its consideration and approval. The proposed amendment is as follows:

NOW, THEREFORE, BE IT RESOLVED, that the Certificate of Incorporation of the Corporation be amended by deleting the first paragraph in its entirety and replacing it with a new first paragraph to read as follows:

"FIRST. The name of the corporation is New Cingular Wireless Services, Inc."

**SECOND:** That thereafter on October 26, 2004, said amendment was duly adopted by written consent of the sole stockholder of the Corporation in accordance with the provisions of Sections 228 and 242 of the Delaware General Corporation Law.

*[Signature on following page]*

IN WITNESS WHEREOF, AT&T Wireless Services, Inc. has caused this Certificate of Amendment to be signed by a duly authorized officer this 20<sup>th</sup> day of October, 2004.

AT&T WIRELESS SERVICES, INC.

By: Carolyn J. Wilder  
Name: Carolyn J. Wilder  
Title: Assistant Secretary

# Delaware

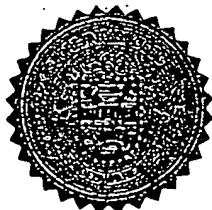
PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF CONVERSION OF A DELAWARE CORPORATION UNDER THE NAME OF "CINGULAR WIRELESS II, INC." TO A DELAWARE LIMITED LIABILITY COMPANY, CHANGING ITS NAME FROM "CINGULAR WIRELESS II, INC." TO "CINGULAR WIRELESS II, LLC", FILED IN THIS OFFICE ON THE TWENTY-SEVENTH DAY OF OCTOBER, A.D. 2004, AT 10:27 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF CONVERSION IS THE TWENTY-SEVENTH DAY OF OCTOBER, A.D. 2004, AT 8:45 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



3858251 8100V

040774599

*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3437873

DATE: 10-27-04

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 10:47 AM 10/27/2004  
FILED 10:27 AM 10/27/2004  
SRV 040774599 - 3858251 FILE

**CERTIFICATE OF CONVERSION OF  
CINGULAR WIRELESS II, INC.  
TO BECOME A LIMITED LIABILITY COMPANY**

Pursuant to the provisions of Section 266 of the Delaware General Corporation Law and Section 18-214 of the Delaware Limited Liability Company Act, Cingular Wireless II, Inc., a Delaware corporation (the "Corporation"), submits the following Certificate of Conversion:

1. The name of the Corporation is Cingular Wireless II, Inc.
2. The date on which the Corporation's original Certificate of Incorporation was filed with the Secretary of State is September 22, 2004.
3. The name of the limited liability company into which the Corporation is being converted is Cingular Wireless II, LLC.
4. The conversion has been approved by written consent of the sole stockholder of the Corporation pursuant to Section 228 of the Delaware General Corporation Law in accordance with the provisions of Section 266 of the Delaware General Corporation Law.
5. The conversion shall be effective at 8:45 p.m. EDT on October 27, 2004.

*[Signature on following page]*

IN WITNESS WHEREOF, Cingular Wireless II, Inc. has caused this Certificate of Conversion to be executed by a duly authorized officer this 27<sup>th</sup> day of October, 2004.

CINGULAR WIRELESS II, INC.

By: Carolyn J. Wilder  
Name: Carolyn J. Wilder  
Title: Assistant Secretary

# Delaware

PAGE 2

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "CINGULAR WIRELESS II, LLC" FILED IN THIS OFFICE ON THE TWENTY-SEVENTH DAY OF OCTOBER, A.D. 2004, AT 10:27 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF FORMATION IS THE TWENTY-SEVENTH DAY OF OCTOBER, A.D. 2004, AT 8:45 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



3858251 8100V

040774599

*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3437873

DATE: 10-27-04

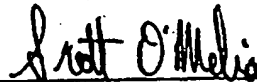


State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 10:47 AM 10/27/2004  
FILED 10:27 AM 10/27/2004  
SRV 040774599 - 3858251 FILE

**CERTIFICATE OF FORMATION  
OF  
CINGULAR WIRELESS II, LLC**

1. The name of the limited liability company is Cingular Wireless II, LLC.
2. The address of its registered office in the state of Delaware is Corporation Trust Center, 1209 Orange Street, in the City of Wilmington, County of New Castle. The name of its registered agent at such address is The Corporation Trust Company.
3. This Certificate of Formation shall be effective at 8:45 p.m. EDT on October 27, 2004.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation of Cingular Wireless II, LLC this 27<sup>th</sup> day of October, 2004.



\_\_\_\_\_  
Scott L. O'Melia  
An Authorized Person

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